

Sanitized - Approved For Release :

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Public Law 110

Deficiency

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21 September 1951

MEMORANDUM TO: Assistant Deputy Director/Administration (Special)
FOR: Senior Review Committee Action
FROM: Task Force
SUBJECT: Deficiency in Public Law 110

Problem

Public Law 110 and the Confidential Funds Regulations do not provide home leave or shipment of personal automobiles for employees stationed outside the continental United States but within its territories or possessions.

Discussion

1. Section 5(a) of Public Law 110 provides certain benefits, including home leave and the shipment of personal automobiles for employees "... assigned to permanent-duty stations outside the continental United States, its territories and possessions ...". The Agency has, or will have, employees assigned to such posts. The CFR's (under Public Law 110) do not provide them these two particular benefits. The problem is reduced to the question of whether CIA wishes to extend such benefits and, if so, whether we wish to seek legislative change or use the broad general authority of the Director and make suitable provision in the CFR's.

2. In answering the first question, cognizance should be taken of the fact that in the case of home leave the original intent was for "Re-Americanization" of the individual and his family. We may presume that such would not be a problem for anyone living under the flag though outside the continental limits. It may be argued reasonably enough however that in many regards a resident of Washington is effectively as far from home in Alaska as he is in Mexico and should be accorded the same benefits in either place.


25X1A7a 3. In answering the second question it should be noted that the issue was raised over [redacted] personnel in [redacted]. Based on Comptroller General's decision it was determined that under Public Law 110 they could not be given home leave. It should be further noted that if legislative action is sought, other agencies as for instance the FBI, will undoubtedly want to claim the same advantage with the result that our efforts would arouse so much discussion as to be fruitless. It may be reasonable to argue for CIA employees, however, that being subject to overseas duty assignment to a territory rather than a foreign country is but an uncontrolled circumstance of the service and that the broad authorities of the Agency should be used to afford like benefits for all regardless of post of assignment "overseas". 25X1A6a

Recommendations

1. It is recommended that:

a. The Senior Committee endorse the extension of the benefits.

b. The General Counsel be requested to determine and take the better course of action to accomplish such extension.

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